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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,486	10/07/2003	Sami Pienimäki	061715-0391	4042
30542 7590 03/11/2008 FOLEY & LARDNER LLP P.O. BOX 80278 SAN DIEGO, CA 92138-0278				
EXAMINER				
LASHLEY, LAUREL L				
ART UNIT		PAPER NUMBER		
2132				
MAIL DATE		DELIVERY MODE		
03/11/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/679,486

Applicant(s)

PIENIMAKI ET AL.

Examiner

LAUREL LASHLEY

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 5-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-2 and 5-12 are pending and have been examined; claims 3-4 have been cancelled.

Response to Amendment

2. After review of the Applicant's remarks submitted 11/09/2007 and further analysis of the prior art Wu et al., the Examiner believes that the reference teaches the limitation "enforcing the application to switch its traffic to an encrypting security service port by the access control point". Wu et al. discloses that communication packets are handed-off from one access point in unencrypted form to another access point, where the communication is encrypted before it is received at the second access point. A detailed assessment of this finding has been provided below.

3. In view of this clarification, this Action is non-final.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1 – 2 and 5-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu et al. in US Patent Application Publication No. 2004/0203783 (hereinafter Wu et al.).

For claim 1 and similar claims 7 and 10, Wu et al. discloses:

A method of enforcing encryption on a public wireless local area network, wirelessly connecting a user terminal at an access point; (see Fig. 2: access points 14, 16, 18 and 22; [0003], lines 5-7)

initiating an authentication, authorization and accounting procedure (see Figure 2, AAAH server 36, [0025], lines 3-4) for the user terminal by an access control point for controlling access to the public wireless local area network (see [0026], lines 5-7; [0031]: lines 2-7);
accessing to an application via the Internet by the user terminal; (see [0003], lines 5-8; [0027], lines 12-15)
providing an Internet access gateway functionality by the access control point (see [0003]: lines 5-7); and
enforcing the application to switch its traffic to an encrypting security service port by the access control point (see [0012],[0030]-[0031]: AAAH server generates encryption key during handoff from one application to another, communication is encrypted; Figures 3-4).

For claim 2 and similar claim 8 Wu et al. discloses wherein the encrypting security service is the secure sockets layer or the transport layer security.(see [0027]; [0040]; [0059]: security procedure operates at data link layer...may be handed-off to higher network layer, e.g. TLS/SSL occurs at higher network layer)

For claim 5 and similar claim 9, Wu et al. discloses the method further comprising:
retrieving information by the access control point from RADIUS messages (see [0043], lines 4-8) whether a user terminal does not use a 802.11i encryption (see [0042], lines

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3-6); and performing the enforcing to the application if it is accessed by such a user terminal (see [0012],[0030]-[0031]: AAAH server generates encryption key during handoff from one application to another, communication is encrypted).

For claim 6 Wu et al. discloses the method according to claim 1, wherein the application can be one of a group comprising the hypertext transfer protocol for browsing the Internet, the Internet message access protocol 4, the post office protocol 3, and the simple mail transfer protocol. (see [0023]- [0024]: Internet communication)

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAUREL LASHLEY whose telephone number is (571)272-0693. The examiner can normally be reached on Monday - Thursday, alt Fridays btw 7:30 am & 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, Jr. can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. L./
Laurel Lashley
Examiner, Art Unit 2132

/Gilberto Barron Jr/
Supervisory Patent Examiner, Art Unit 2132

28 February 2008